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IN THE UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF UTAH, CENTRAL DIVISION

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CLEARONE COMMUNICATIONS, INC.,  
a Utah corporation,

Plaintiff,

v.

ANDREW CHIANG, an individual; JUN  
YANG, an individual; LONNY BOWERS, an  
individual; WIDEBAND SOLUTIONS, INC.,  
a Massachusetts corporation; VERSATILE  
DSP, INC.; a Massachusetts corporation; and  
BIAMP SYSTEMS CORPORATION, an  
Oregon corporation,

Defendants.

**MEMORANDUM DECISION AND  
ORDER AWARDING  
ATTORNEYS' FEES AND COSTS  
AGAINST DONALD BOWERS**

Case No. 2:07-cv-37-TC-DN

District Judge Tena Campbell

Magistrate Judge David Nuffer

On September 3, 2009, the District Judge ordered<sup>1</sup> that “ClearOne is entitled to receive its reasonable attorneys’ fees and costs incurred in pursuing the [certain remedies] against Donald Bowers.” The District Judge ordered that ClearOne submit a claim for those fees and that thereafter “the Magistrate Judge shall issue a ruling awarding those costs and fees reasonably incurred . . . .”<sup>2</sup> Thereafter, ClearOne filed its claim<sup>3</sup> stating “the total attorney fees and expenses associated with the monetary award provided by the [September 3, 2009] Order are \$57,188.61.”<sup>4</sup>

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<sup>1</sup> Memorandum Decision and Order of Contempt at 25, docket no. 1903 filed September 3, 2009.

<sup>2</sup> *Id.*

<sup>3</sup> Declaration of Jennifer Fraser Parrish . . . , docket no. 1930, filed September 17, 2009; Highly Confidential Exhibit B to Declaration of Jennifer Fraser Parrish, docket no. 1942, filed under seal September 17, 2009.

<sup>4</sup> *Id.* at 6.

The magistrate judge was unable to take action because Donald Bowers filed for bankruptcy protection.<sup>5</sup> However, ClearOne was granted relief from the automatic bankruptcy stay on December 29, 2009, effective January 13, 2009.<sup>6</sup>

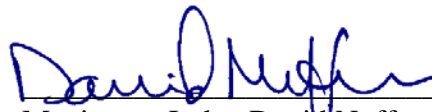
Donald Bowers did not file any response to ClearOne's Claim for fees. The magistrate judge has carefully reviewed the submission from ClearOne and finds the claim proper in every respect.

### **ORDER**

IT IS HEREBY ORDERED that Donald Bowers is liable to ClearOne in the sum of \$57,188.61.

Dated this 18th day of January, 2009.

BY THE COURT

  
Magistrate Judge David Nuffer

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<sup>5</sup> Memorandum Decision and Order of Contempt at 2 n.3, docket no. 2009, filed November 19, 2009.

<sup>6</sup> Notice of Filing: Bankruptcy Court's Order Granting Plaintiff Relief from the Automatic Stay to Prosecute Pending Action against Donald Bowers, docket no. 2048, file December 29, 2009.